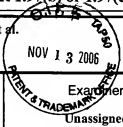


3746

(f)

| TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT (Under 37 CFR 1.97(b) or 1.97(c)) | | | | Docket No. 19020 | |
|--|------------------------------|------------------------|-----------------------|------------------------------|--------------------------|
| In Re Application Of: Greg Collier, et al. | | | | | |
| <div style="text-align: center;"></div> | | | | | |
| Application No. 10/541,995 | Filing Date July 13, 2005 | Examiner Unassigned | Customer No. 23389 | Group Art Unit Unassigned | Confirmation No. 8073 |
| Title: OBESITY-RELATED GENES | | | | | |
| Address to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 | | | | | |
| 37 CFR 1.97(b) | | | | | |
| 1. <input checked="" type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114. | | | | | |
| 37 CFR 1.97(c) | | | | | |
| 2. <input type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of: <div style="margin-left: 40px;"><input type="checkbox"/> the statement specified in 37 CFR 1.97(e); <div style="text-align: center;">OR</div> <input type="checkbox"/> the fee set forth in 37 CFR 1.17(p).</div> | | | | | |

P10A/REV06

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT

(Under 37 CFR 1.97(b)(1)-(3))

Docket No.

19020

In Re Application of: Greg Collier, et al.

NOV 13 2006
PATENT & TRADEMARK OFFICE

Application No.

10/541,995

Filing Date

July 13, 2005

Priority

Unassigned

Customer No.

23389

Group Art Unit

Unassigned

Confirmation No.

8073

Title:

OBESITY-RELATED GENES

Payment of Fee

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of _____ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 19-1013/SSMP as described below.
- ☐ Charge the amount of _____
- ☒ Credit any overpayment.
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- ☐ Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" (37 CFR 1.8(a)) on

November 7, 2006

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Xiaochun Zhu

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*This certificate may only be used if paying by deposit account.

Dated: November 7, 2006

Xiaochun Zhu

Registration No. 56,311

Scully, Scott, Murphy & Presser, P.C.

400 Garden City Plaza, Suite 300

Garden City, New York 11530

516-742-4343

CC:

P10A/REV06



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Greg Collier, et al.

Examiner: Unassigned

Serial No.: 10/541,998

Art Unit: Unassigned

Filed: July 13, 2005

Docket: 19020

For: OBESITY-RELATED GENES

Dated: November 7, 2006

Confirmation No.: 8073

Mail Stop PCT
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

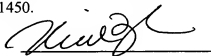
In accordance with 37 C.F.R. §§1.97 and 1.98, it is requested that the following references, which are also listed on the attached Form PTO-1449, be made of record in the above-identified case.

1. Database EMBL [Online], "Mus Musculus mRNA for Ndr1 Related Protein Ndr2, Complete Cds", Database Accession No. AB033921 (1999), XP-002383947;
2. Okuda T. et al., "Identification of New Genes *Ndr2* and *Ndr3* Which Are Related to *Ndr1/RTP/Drg1* but Show Distinct Tissue Specificity and Response to N-Myc", *Biochemical & Biophysical Research Communications* 266(1):208-215 (1999), XP-002383928;

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: November 7, 2006


Xiaochun Zhu

3. Civitarese A.E. et al., "Identification of Novel Genes Differentially Expressed in Skeletal Muscle of Psammomys Obesus Using Microarrays", *43(Suppl 1):A52* (2000), XP-009006109;
4. Oberkofler H. et al., "UCP3 Gene Expression Does Not Correlate With Muscle Oxidation Rates in Troglitazone-Treated Zucker Fatty Rats", *Biochimica et Biophysica Acta 1517(1):113-118* (2000); and
5. Matsuda J. et al., "Cloning of Rat Uncoupling Protein-3 and Uncoupling Protein-2 cDNAs: Their Gene Expression in Rats Fed High-Fat Diet", *FEBS Letter 418(1-2):200-204* (1997), XP-004261541.

The references were cited in a Supplemental Partial International Search Report dated July 5, 2006 received from the European Patent Office. Applicants are submitting copies of the above-cited references, together with a copy of the Supplemental Partial International Search Report. The relevance of the above-identified references has been described in the Supplemental Partial International Search Report.

Inasmuch as this Information Disclosure Statement is being submitted in accordance with the schedule set out in 37 C.F.R. § 1.97(b), no statement or fee is required.

Respectfully submitted,



Xiaochun Zhu
Registration No. 56,311

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400 Garden City Plaza, Suite 300
Garden City, New York 11530
(516) 742-4343

XZ:dg

Form PTO-1449
U.S. DEPARTMENT OF COMMERCE
(REV. 7-80) PATENT AND TRADEMARK OFFICE**LIST OF PRIOR ART
CITED BY APPLICANT**

(Use several sheets if necessary)



Atty. Docket No. (Optional)

19020

Application Number

10/541,998

Applicant(s)

Greg Collier, et al.

Filing Date

July 13, 2005

Group Art Unit

Unassigned

FOREIGN PATENT DOCUMENTS

| REF | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION | |
|-----|-----------------|------|---------|-------|----------|-------------|----|
| | | | | | | YES | NO |
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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

| | |
|--|---|
| | Database EMBL [Online], "Mus Musculus mRNA for Ndr1 Related Protein Ndr2, Complete Cds", Database Accession No. AB033921 (1999), XP-002383947 |
| | Okuda T. et al., "Identification of New Genes <i>Ndr2</i> and <i>Ndr3</i> Which Are Related to <i>Ndr1/RTP/Drg1</i> but Show Distinct Tissue Specificity and Response to N-Myc", <i>Biochemical & Biophysical Research Communications</i> 266(1):208-215 (1999), XP-002383928 |
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| | Matsuda J. et al., "Cloning of Rat Uncoupling Protein-3 and Uncoupling Protein-2 cDNAs: Their Gene Expression in Rats Fed High-Fat Diet", <i>FEBS Letter</i> 418(1-2):200-204 (1997), XP-004261541 |

EXAMINER

DATE CONSIDERED

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.